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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,613	04/26/2000	Robert Thomas Calabrese	Calabrese 10-3-7-16	9462

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EXAMINER
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AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/558,613

Applicant(s)

CALABRESE ET AL.

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date # 6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Applicant's amendment filed on September 15, 2004 has been entered.

No claims have been amended. No claims have been canceled. No claims have been added. Claims 1-54 are still pending in this application, with claims 1, 17, 34, and 50 being independent.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-16, 17-33, 34-49, and 50-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent claims 1, 17, 34, and 50 recite the limitation of "providing called party information on the conditionally answered outgoing call leg". It is not clear or understood what is exactly meant by this claimed limitation. Whether the information provided to the called party is about the calling party or is the information provided to the calling party about the called party?

Dependent claims 2-16, 18-33, 35-49, and 51-54 are rejected for the same reasons as discussed above with respect to Independent claims 1, 17, 34, and 50, respectively.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-8, 10-24, 26-41, and 43-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eisdorfer (US PAT # 5,724,411) in view of Brisebois et al (US PAT # 6,310,944).

Regarding claim 1-2, Eisdorfer teaches a multiple leg telecommunication session (see col. 2, lines 44-50), comprising: (a) receiving an incoming call leg

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designating a primary directory number (this reads on the primary directory number see col. 2, lines 63-66 and col. 5, lines 31-33); (b) determining a plurality of secondary directory numbers associated with the primary directory number (this reads on the telephone sets 121, 122, and 127, see col. 4, lines 55-58); (c) processing and routing each outgoing call leg associated with each secondary directory number, of the plurality of secondary directory numbers (see col. 2, lines 44-50, and col. 3, lines 1-16); (e) when an outgoing call leg, of the plurality of an outgoing call legs, has been unconditionally answered, providing a connection between the unconditionally answered outgoing call leg and the incoming call leg to form a communication session, (this simply reads on the normal call acceptance, see col. 3, lines 20-26).

Eisdorfer does not specifically teach when an outgoing call leg, of the plurality of an outgoing call legs, has been conditionally answered, providing the called party information on the conditionally answered outgoing leg, which means allowing the calling party to screen and view the called party information as well.

However, Brisebois teaches a method to provide calling and called party context information to help them better decide whether and how to initiate or accept communications (see col. 1, lines 3-7 and col. 2, lines 49-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of providing the called

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party information to the calling party (screening the called party information), as taught by Brisebois, into the Eisdorfer system in order to help the calling party to decide whether and how to initiate or not initiate a call. For example "a party to be called does not wish to be disturbed, or only wishes to be disturbed for emergencies" see Brisebois (col. 1, lines 59-65). On one hand, the user (called party) may be accepting important calls from family members, emergency situations, or important people at any time. On the other hand, the user may reject non-important calls (at certain hours). Generally, providing context information to both parties (calling and called) will add convenience and it will avoid answering and/or making unwanted calls. Thus informing the calling party that the called party is currently answering emergency or family calls only will enable the calling party to decide whether to continue with the call or not.

Claims 17-18 are rejected for the same reasons as discussed above with respect to claim 1. The claimed database that stores the secondary numbers reads on database 175 (see col. 3, lines 1-9 and col. 5, lines 24-25. Also, see Fig. 1, element 175 within SCP 170 in Eisdorfer).

Claims 34-35 are rejected for the same reasons as discussed above with respect to claim 1. The claimed network interface reads on the SSPS 110, 120, 125, and 130, see Fig.1 (in Eisdorfer). The claimed processor reads on elements 113, 123, and 133, Fig.1. Also, the memory reads on database 175.

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Claim 50 is rejected for the same reasons as discussed above with respect to claim 1. Also, the use of the home location register feature is inherent in mobile communication. Eisdorfer discloses the use of mobile communication (see col. 4, lines 66-67).

Regarding claims 3, 19, and 36, Eisdorfer teaches providing a listing of a plurality of options to a calling party; in response, receiving an option selection from the calling party (see col. 3, lines 1-9). The claimed feature of "based upon the option selection, determining the called party information" basically reads on providing called party information (as described in the combination above) to the calling party when the calling party makes a selection or "opt to speak" to the called party (see col. 3, lines 1-19).

Claims 8, 24, 41, and 51 are rejected for the same reasons as discussed above with respect to claims 3, 19, and 36. The claimed "plurality of secondary directory numbers" reads on telephone sets 121, 122, and 127 (see col. 4, lines 55-58 in Eisdorfer). Also, for claim 51, the use of use of ANSI-41 protocol is obvious at least in the mobile communications.

Regarding claims 4-6, 20-22, 37-39 and 53, the claimed feature of the language, service selection, and product selection is obvious. This represents typical menu options such as "for Spanish press 1, for English press 2", or "for car insurance, press 1, for shipping, press 2".

Regarding claims 7, 23, 40, the use of ANSI-41 protocol would have been obvious in the mobile communications, because it simply constitutes the use of a well-known and old protocol.

Regarding claims 10, 26, and 43, Eisdorfer teaches a conditional answering is indicated by entry of a predetermined code on an outgoing call leg of the plurality of outgoing call legs. Eisdorfer teaches SSP 120 is connected to a service circuit node (SCN) 125, which provides centralized services for SSP 120 and other SSPs in intelligent network 100. SCN 125 includes DTMF detectors 126. Thus the entry of a predetermined code reads on entering a code by the called party in the scenario of conditional answering (see col. 4, lines 63-66).

Regarding claims 11, 27, and 44, an off-hook signal inherently indicates answering a call.

Regarding claims 12, 28, and 45, Eisdorfer teaches when a conditionally answered outgoing call leg has not provided an unconditional answer within a predetermined period of time releasing the conditionally answered outgoing call leg (see col.3, lines 19-26).

Regarding claims 13, 29, and 46, the claimed feature of releasing all remaining outgoing call legs in the event of establishment of a communication



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session" is obvious because once the call was answered conditionally or unconditionally other, outgoing call legs normally would be dropped. The called person has been found and has answered the call on one of the legs. The other legs are no longer needed and should be dropped.

Regarding claims 14, 30, and 47, Eisdorfer teaches the called party information includes the primary directory number (see col. 3, lines 1-20).

Regarding claims 15, 31, and 48, Eisdorfer teaches the called party information includes a distinctive identifier for the multiple leg telecommunication session (this may read on the distinctive alerting signal or a distinctive ring, see col. 3, lines 41-48, also, Fig.6).

Regarding claims 16, 32, and 49, Eisdorfer teaches the called party information includes an indication of "an amount" of outgoing call legs in the plurality of outgoing call legs. This simply reads on identifying how many destinations the call will be alerting, such as father, mother, child, or even home, vacation home, car...etc. See Figs. 5 and 6.

Claim 52 is rejected for the same reasons as discussed above with respect to claims 3, 19, and 36.

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Claim 54 is rejected for the same reasons as discussed above with respect to claims 14-16, 30-32, and 47-49, respectively.

Claim 33 recites "the switching center is a mobile switching center and the database is a home location register". The use of the home location register feature is inherent in mobile communication, since Eisdorfer discloses the use of mobile communication (see col. 4, lines 66-67).

6. Claims 9, 25, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eisdorfer in view of Brisebois, as discussed above, and further in view of Furman et al (US PAT # 6,049,594).

Neither Eisdorfer nor Brisebois in combination or alone teaches the feature of requesting a name form a calling party, storing in a memory a calling party name received in response, and including the calling party name in the called party information.

Furman teaches that in the event of receiving a call, the switch 30 connects the call to an audio response system 35, which plays an audio greeting to the calling party. However, when no ANI is available to identify this customer or that call, the calling party would be prompted by the system 35 to identify himself, by entering an ID code, which may be the customer telephone number (see col. 6, lines 49-62). Also, sending the calling party name beside other

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information to the called party basically reads on the standard caller ID feature, which is an inherent feature in many systems. This feature is old and well known in the art and has been taught in numerous references.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to prompt the calling party for his/her phone number or his/her name, as taught by Furman, into the combination of Eisdorfer and Brisebois in order to provide caller ID information to the called party. The advantages of providing calling party information to the called party are obvious and well known in the art.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Rasha S. Al-Aubaidi', is written over a horizontal line. The signature is stylized with a large loop at the top and a long, sweeping underline.

***Examiner Rasha S. Al-Aubaidi***

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***04/11/2005***